

UC Irvine

UC Irvine Electronic Theses and Dissertations

Title

Constructing Drug Using Victims: Race and Class in Policy Debates on Ecstasy Use in the U.S.

Permalink

<https://escholarship.org/uc/item/4rx0c0n2>

Author

Laguna, Sofia Isabel

Publication Date

2019

Peer reviewed|Thesis/dissertation

UNIVERSITY OF CALIFORNIA, IRVINE

Constructing Drug Using Victims:
Race and Class in Policy Debates on Ecstasy Use in the U.S.

THESIS

Submitted in partial satisfaction of the requirements for the degree of

MASTER OF ARTS

in Social Ecology

by

Sofia Isabel Laguna

Thesis Committee:
Professor Mona Lynch, Chair
Professor Elliott Currie
Professor Emeritus John Dombrink

2019

DEDICATION

To

my parents, Michael, family, and my friends

in recognition of their support.

TABLE OF CONTENTS

LIST OF TABLES	iv
ACKNOWLEDGMENTS	v
ABSTRACT OF THE THESIS	vi
INTRODUCTION	1
MDMA Use, Media Coverage, and Regulation in the U.S.	2
LITERATURE REVIEW	4
THEORETICAL FRAMEWORK	7
METHOD	9
Coding Frame.....	13
FINDINGS.....	14
Framing MDMA Users and Dealers.....	14
Establishing in-groups	15
In-group MDMA users are different.....	16
Reasons why in-group members use MDMA.....	17
Threat of drug use among in-groups.....	20
Policy for protecting in-groups	20
Who are the folk devils? The creation of out-groups	22
Strategies pursued by out-groups.....	23
Punishing out-groups	24
New Language and New Panics?.....	24
CONCLUSION.....	27
REFERENCES	29

LIST OF TABLES

		Page
Table 1	Number of speakers in each professional category	20
Table 2	Race of Congressional speaker	20

ACKNOWLEDGMENTS

I would like to thank Sage Publishing for permission to submit my publication as my Thesis for the completion of the Master of Arts in Social Ecology. This original paper was published in the Contemporary Drug Problems journal in 2018 and can be accessed at <https://doi.org/10.1177%2F0091450917748981>

ABSTRACT OF THE THESIS

Constructing Drug Using Victims:

Race and Class in Policy Debates on Ecstasy Use in the U.S.

By

Sofia Isabel Laguna

Master of Arts in Social Ecology

University of California, Irvine, 2019

Professor Mona Lynch, Chair

Sociologists and political scientists examining the social construction of public anxiety surrounding drug use in the United States have argued that racial minorities are the targets of the harshest drug laws, while middle-class whites are shielded. In this article, I provide further evidence that middle-class, white drug users are shielded from harsh punishment by analyzing the process through which U.S. legislators and policymakers decide which drug users need punishment and which deserve protection and treatment. Analyzing transcripts from federal Congressional hearings, I examine the rhetoric of legislators and stakeholder witnesses concerning the use of 3,4-Methylenedioxymethamphetamine (MDMA) by middle-class whites. Building on the social construction literature, I use social identity theory to demonstrate how legislators within Congressional hearings create in- and out-groups in order to categorize different drug users and dealers. My analysis of Congressional hearing language concerning white MDMA use demonstrates that Congressional speakers use rhetoric to convince committee members and the wider public that middle-class, white drug users are different from drug users of color and that the appropriate policy response is education and treatment, rather than

punishment. My findings highlight how middle-class, white drug users are characterized differently from drug users of color, providing further evidence that U.S. drug policy has historically favored middle-class, white drug users.

INTRODUCTION

Between 1998 to 2002, the use of 3,4-Methylenedioxymethamphetamine (MDMA or “ecstasy”) increased in the United States. According to Rosenbaum (2002), 11% of high school seniors reported trying the drug in 2000, nearly double the 5.8% reported in 1998. Additionally, the Drug Enforcement Agency (DEA) reported an increase in MDMA tablet seizures and a surge in MDMA-related emergency room visits during this time period. Attempting to provide evidence of MDMA-related harm, George Ricaurte, a neurologist, argued that the drug caused extreme brain damage (Rosenbaum, 2002). Current-affairs television programme *60 Minutes* also reported that ecstasy was “the most dangerous drug in America” (Rosenbaum, 2002).

News coverage surrounding MDMA in the late 1990s and early 2000s sparked public concern. However, some of the claims made in this coverage and by policymakers turned out to be inaccurate, exaggerated, or taken out of context. For example, MDMA made up less than 1% of drug-related emergency room visits during this time period (Rosenbaum, 2002). Further, Ricaurte’s study on the effects of MDMA was retracted in 2003 when it emerged that methamphetamine had been used in the test (Ahrens, 2013). Nevertheless, inaccurate and exaggerated news coverage continued to shape policy that defined who needed to be punished and protected from the “threat” of MDMA.

In this article, I examine the rhetoric of U.S. policymakers during this period in order to analyze their characterization of drug use stereotypically associated with middle-class, white youth. My focus is MDMA because of its link to young, middle-class, white users in the late 1990s and early 2000s, and because it was associated with increased public anxiety (Ahrens, 2013). In this sense, it offers an apt comparison to the “crack” panic that occurred a decade earlier in the U.S. (Provine, 2007). I argue that legislators perceived the use of a drug associated

with the white middle class, MDMA, to be more acceptable than drug use linked with people of color, and therefore emphasized therapeutic, rather than punitive, responses in policy debates.

Building on the social construction literature, I use social identity theory (Tajfel & Turner, 1979) to demonstrate how legislators created in- and out-groups among different drug users and dealers in Congressional hearings. Specifically, I examine how speakers shaped categorical definitions of white, middle-class MDMA users. My analysis of their language shows how legislators and Congressional speakers used rhetoric to convince committee members and the public that white, middle-class drug users are different from drug users of color, and that the appropriate policy response is education and treatment, rather than punishment.

The article proceeds as follows: I provide background on MDMA and the media portrayals linking young, affluent whites with the drug during 2000-2002, when this discussion peaked in the United States. Next, I delineate my theoretical framework to anchor my analysis of how speakers within Congressional hearings construct the meaning of “drug user.” Then, I describe my data sources and methods, and present the findings from my content analysis. Finally, I explain the significance of the analysis and its broader implications.

MDMA Use, Media Coverage, and Regulation in the U.S.

MDMA is a psychoactive drug that increases the release of serotonin, norepinephrine, and oxytocin in the brain (Meyer, 2013). Depending on the contexts of use, consumers of MDMA can experience increased euphoria, empathy, and sociability with others, and long-term consumers may experience negative effects such as depression, cognitive deficits, and neurotoxicity (Meyer, 2013). Psychotherapists first used MDMA in the 1970s to administer the drug to patients to help them communicate their feelings in therapy. In the mid- to late-1980s, a younger crowd started using MDMA recreationally in night clubs (Pentney, 2001). In response,

the Drug Enforcement Agency (DEA) assigned it Schedule 1 status in 1998, thereby classifying MDMA as dangerous, having a high probability of abuse, and having no accepted medical use. The shift in MDMA's legal status resulted in media attention, which corresponded with greater public knowledge about MDMA. This publicity appears to have led to even wider use of MDMA in the United States and in international contexts (Pentney, 2001; Rosenbaum & Doblin, 1999; Bogt et al., 2002).

According to national health survey data, MDMA was primarily used by young white adults in 2002 (NHSDA, 2003). Despite an increase in Ecstasy use across all racial groups from 1995 to 2001, politicians and legislators widely perceived MDMA to be a drug used by white, affluent youth (Ahrens, 2013; Martins, Mazzotti, & Chilcoat, 2005). In 2002, 50% of patients who mentioned MDMA in emergency department visits were male, 64% were white, and 75% were 26 years old or younger (DAWN, 2003). The most recent report on emergency department visits in 2011 shows that the majority of MDMA patients were still white (50.76%), although their share had decreased, while blacks made up 19.34% and Hispanics made up 13.73%. Similar to the 2002 data, a majority of the patients were 18 to 25 years old (DAWN, 2013).

As MDMA use increased, quantitative and qualitative shifts occurred in mass media coverage of the drug between 2000 and 2002. According to Ahrens (2013), U.S. newspapers published 117 articles on MDMA in 1999, but this number increased to 725 in 2001. Before this increase, news articles discussing MDMA portrayed the drug and its users as threats to society. This shifted from 2000 to 2002, when news articles increasingly portrayed MDMA use as an "epidemic" affecting suburban communities. The news reports focused on the tragic MDMA-related deaths of young people in suburbia, and did not frame users as harmful or criminal, as

had been the case with crack-cocaine users (Ahrens, 2013). At the same time, Congressional hearings and policy debates increasingly discussed how to control MDMA use (Ahrens, 2013).

There was a corresponding relationship between media coverage and the laws proposed during this period. Between 2000 to 2001, multiple anti-ecstasy laws were proposed at the federal level, such as the Ecstasy Anti-Proliferation Bill and the Ecstasy Prevention Act of 2001 (Rosenbaum, 2002). Both bills proposed to provide funds for law enforcement to target MDMA traffickers and manufacturers. Additionally, the U.S. Sentencing Commission proposed increases in mandatory minimum sentences for possession for sale of ecstasy. Although these proposed changes to federal laws were not passed, similar laws were passed in some state jurisdictions throughout 1998 to 2002 (Rosenbaum, 2002). This study will focus on hearings surrounding the proposed legislation at the federal level to understand how U.S. Congressional speakers attempted to control, manage, and frame MDMA users and dealers.

LITERATURE REVIEW

Sociologists and political scientists have examined the social construction of public concern surrounding drug use (e.g. Cohen, 1972; Reinerman & Levine, 1997; Provine, 2007; Musto, 1973; Beckett, 1997), as well as social problems more generally (e.g. Goode and Ben-Yehuda, 1994). A key work in this literature is Cohen's (1972) study of "moral panics" and "folk devils" – exaggerated reactions by "moral entrepreneurs" (influential actors including media, politicians, and the public) to perceived threats to societal values. Moral panics often lead to new laws and policies aimed at decreasing the threat and reinforcing societal values (Goode & Ben-Yehuda, 1994). Moral entrepreneurs define some behaviors as acceptable and seek to limit those defined as unacceptable through social control measures. There is empirical evidence to support

the social construction framework, as well as the concepts of moral panic and moral entrepreneurs (Beckett, 1997; Omori, 2013).

In his examination of the social construction of drug scares within U.S. society, Reinerman (1994) argues that linking illicit drug use to subordinate groups leads to policies designed to control these groups. Reinerman and Levine (1997) analyze American drug scares during the 1980s, such as the crack-cocaine “epidemic”, in which the media, politicians, and the medical establishment framed economically marginalized African Americans as crack-cocaine users. Reinerman and Levine (1997) argue that rather than addressing the “enduring and intensified” socio-economic and political deprivation of African Americans, politicians blamed the social problems on crack-cocaine use. This political scapegoating and the criminalization it produced reflected societal fear of disadvantaged African Americans and crack-cocaine (Reinerman & Levine, 1997). The new crack-related sentencing laws passed in response to this panic differentially punished crack and powder cocaine, despite the pharmacological similarities between the two substances. By increasing punishment for crack-cocaine defendants, legislators criminalized poor African Americans who were perceived to be the primary users of the drug.

Further evidence is provided by Provine (2007), who argues that racial minorities are the targets of the harshest drug laws while white drug users are shielded from them. She traces the historical trajectory of marijuana as a social problem, arguing that not all users are framed as criminals. In the 1920s, Mexican immigrants who migrated to western states for farm labor were linked with marijuana (Provine, 2007). The onset of the Depression led to an economic downturn and decreased the need for Mexican labor, resulting in white indignation toward Mexican groups. Harry Anslinger, a moral entrepreneur and the chief of the Federal Bureau of Narcotics during this period, cultivated concern by rhetorically constructing images of Mexican workers

who used marijuana and engaged in violence (Provine, 2007; Reinerman & Levine, 1997). This image catalyzed legislative efforts to regulate or prohibit marijuana in several states, eventually resulting in federal prohibition. The rhetorical linkage of marijuana use to Mexican groups followed the traditional pattern of moral panics: it created a volatile, increased level of concern and hostility toward Mexican groups, a societal consensus on the threatening nature of this behavior, and an exaggerated response from moral entrepreneurs.

As marijuana use extended to white, middle-class youth in the 1960s, an urgent conversation was sparked regarding marijuana decriminalization (Provine, 2007). Spiro Agnew, Vice President for Nixon, acted as a moral entrepreneur when he argued that marijuana was moving into the suburbs and punitive drug laws were “ruining promising young lives” (Provine, 2007, p. 97). The prospect of imprisoning large numbers of young white people provoked a softening of criminal penalties and enforcement of marijuana laws. Provine’s (2007) work illuminates how drug users of color are marginalized by the social construction process, and face greater risk of punishment than their white counterparts. Although a consensus emerged that marijuana use was a social problem among white youth in the 1960s and 1970s, the policy response was pragmatic and measured – emphasizing decriminalization – rather than punitive.

Recent research on the racialization of drug use has examined variations in the construction of “whiteness.” According to Netherland and Hansen (2016), class is a significant factor in predicting policy responses to white drug use. For example, stimulant use by middle class or affluent whites is framed as enhancing job performance rather than raising concerns about addiction (Netherland and Hansen, 2016). However, the response is markedly different when stimulants such as methamphetamine are linked to economically marginalized whites. Murakawa (2011) explains that methamphetamine created concern about the declining status of

white people because of its association with “meth mouth,” with poor dental health being perceived as a marker of social status. Similarly, Linneman and Wall (2013) suggested that the “Faces of Meth” campaign reflected larger cultural anxieties and was used to regulate the boundaries of “a ‘white trash’ Other who threatens the supposed purity of hegemonic whiteness and white social position” (Linneman and Wall, 2013, p. 4). Furthermore, when methamphetamine users are discussed in American newspaper articles, journalists tend to respond sympathetically by focusing less on violence and more on the drug’s threat to public health, the environment, and the potential health issues for methamphetamine users (Cobbina, 2008).

The recent opiate “epidemic” in the U.S. has also been framed more sympathetically in the media than past opiate scares involving people of color. Netherland and Hansen (2016) argue that middle class, white opiate users are perceived as non-threatening individuals living in the suburbs and as victims of addiction worthy of empathy. The non-threatening representations of middle-class, white opiate users have resulted in therapeutic responses to the drug issue (Netherland and Hansen, 2016).

THEORETICAL FRAMEWORK

Social identity theory can help address the inherent contradiction in the existing literature about the racialization of drug panics by examining how both sympathetic and demonized groups are rhetorically created by political moral entrepreneurs. Tajfel and Turner (1979) define social identity as an individual’s sense of who they are based on their memberships in different groups. The social world is divided into different in-groups and out-groups through a process of “social categorization”. By taking part in social categorization, individuals make sense of their social environment and group identity. Social identity theory predicts that members of social groups

will seek to find negative aspects of out-groups in order to enhance their self-image. This theory offers insights into how middle-class, white drug users are defined and the policy responses that arises from these definitions.

Although Provine (2007) and Peterson (1985) do not explicitly use social identity theory in their research, their analyses reveal how social categorization plays a role in the construction of policy responses and the legal treatment of drug users and dealers. Because policymakers are predominantly white and relatively privileged, they place drug users and sellers of color in out-groups, and punish them accordingly. Conversely, drug-involved individuals who are demographically similar to policymakers, such as middle class white youth, are seen as in-group members more deserving of education, treatment, and milder punishment. Thus, Provine's (2007) analysis of the racial constructions of marijuana users over time reveals the different policy responses that come with in-group and out-group social categorization. Peterson's (1985) analysis of legislative debates addressing major drug law reform in 1970 likewise found that lawmakers considered young and middle-class, white marijuana users as members of their own in-group whose lives would be ruined by a drug conviction.

While scholars studying social construction and moral panics have focused on racial differences in drug policies and the construction of drug users as a social problem (Provine, 2007; Reinerman & Levine, 1997; Musto, 1973; Peterson, 1985), the social categorization process at the core of social identity theory provides additional insights into the mechanisms at work in the creation of moral panics and the associated racial subjugation. Therefore, I incorporate social identity in the forthcoming analysis to examine whether MDMA users, on the basis of racial and other characteristics, were placed into an out-group as the folk devils of the MDMA moral panic or if they were placed within an in-group that has a sympathetic or relatable

social identity. This analysis aims to provide insights into how race shapes the framing of specific groups as folk devils within a single moral panic. More specifically, I examine whether MDMA drug users are largely exempt from hostile and exaggerated responses due to their rhetorical construction as in-group members. In doing so, I offer a more dynamic, midrange analysis of the construction of political rhetoric about drug users.

I examine the rhetorical construction of MDMA use, a behavior associated with young, middle-class whites, by federal lawmakers and other stakeholders in the context of legislative hearings that took place in the early 2000s when the MDMA scare was at its peak. Like Provine's (2007) and Peterson's (1985) historical analysis of the framing of white, middle-class drug users in political rhetoric, I am interested in understanding whether MDMA users are constructed as victims rather than threats because of their perceived demographic characteristics. I address two questions. First, how do the moral entrepreneurs, the Congressional hearings' speakers, frame the social problem of MDMA? More specifically, are MDMA users framed as the out-group, or "folk devils", within the moral panic or do moral entrepreneurs construct alternative "folk devils" in need of control? Secondly, and more broadly, what forms of rhetoric are used to construct MDMA users, and how do these forms differ from those used in past drug scares and moral panics?

METHOD

My starting hypothesis was that MDMA users would be frequently constructed in policymakers' rhetoric as white middle class victims, whereas users of other drugs, such as crack-cocaine, would be frequently constructed as people of color and/or attributed lower economic or social status and associated with criminal activity. Moreover, I hypothesized that if MDMA users were constructed as in-group members, legislators would argue for therapeutic

policies in order to “save” them. Conversely, I predicted that the speakers would categorize drug dealers and traffickers as members of an out-group who deserved punishment, as has been described in past work.

I examine U.S. Congressional discourse surrounding MDMA use by analyzing four Congressional hearings that took place between 2000 and 2002. This time frame was chosen to reflect the peak period during which MDMA users were perceived as white, suburban youth in media and policy discussion (Ahrens, 2013). U.S. newspaper articles focused on MDMA increased during this time period, peaking in 2001 (Ahrens (2013, p. 404). National research also suggests that MDMA was predominately used by white youth throughout this time (NIDA, 2006). My goal is to examine the way legislators describe and propose to manage the behaviors of MDMA users and dealers. My analysis will focus, in particular, on whether legislators place MDMA users and dealers into separate in-groups and out-groups.

To locate the relevant Congressional hearings within my timeframe of interest, I searched the ProQuest database for hearings related to the keywords “Ecstasy” or “MDMA” from 2000 to 2002. I screened each hearing to determine relevance to my study, and chose hearings that focused specifically on MDMA use in the United States. This screening process yielded four hearings included in my analysis.

Two hearings were focused on a proposed piece of legislation that attempted to control MDMA trafficking and the use of MDMA among youth. The first hearing in this category, titled “Threat posed by illegal importation, trafficking, and use of ecstasy and other club drugs,” was held in June 2000 before the Subcommittee on Crime in the House of Representatives. The hearing’s purported purpose was to discuss the abuse and trafficking of club drugs as it related to the Youth Drug and Mental Health Services Act, which was enacted to authorize more

programming to prevent substance abuse among youth. The second hearing, titled “Reducing Americans’ Vulnerability to Ecstasy (RAVE) Act of 2002,” was held in October 2002 before the Subcommittee on Crime, Terrorism, and Homeland Security in the House of Representatives. This hearing is related to the proposed RAVE Act of 2002, which attempted to amend the Controlled Substances Act so that sentencing would be harsher for club owners. Although this bill did not pass, a related act, The Illicit Drug Anti-Proliferation Act of 2003, was passed as a rider to the PROTECT Act of 2003 (which focused on the prevention of child abuse and the investigation and prosecution of violent crimes against children) and contained similar penalty provisions (Epstein, 2014).

The other two hearings were not related to legislation and were held by specific subcommittees within the Senate to discuss the threat and problems associated with MDMA use. The two hearings, “Ecstasy: Underestimating the Threat,” held in July 2000 before the Subcommittee on Crime, and “America at Risk: The Ecstasy Threat,” held in March 2001 before the Caucus on International Narcotics Control, both focused on club drug use among young adults. All four hearings were addressed by a range of speakers with varied professional affiliations, from members of Congress itself, to law enforcement and medical experts (see Tables 1 and 2 for more information on speakers).

Table 1: Number of speakers in each professional category (N=33)

Congressional Representatives	8
University Professors & Researchers	5
Drug Enforcement Administration	4
MDMA Users	3
Law Enforcement	3
U.S. Customs	3
Non-Profit Organization/Policy	2
Investigator (District Attorney's office)	1
Emergency Room Staff	1
National Drug Control	1
State Drug Control	1
U.S. Sentencing Commission	1

Table 2: Race of Congressional speaker (n=33)

White	24
Black	3
Unknown	6

Qualitative content analysis was used to code and analyze the hearing transcripts. Qualitative content analysis is an appropriate methodology because it allows me to systematically delineate how legislators construct MDMA users and dealers, and to examine their underlying meanings. I combine this methodology with discourse analysis, which focuses on the construction of social reality through language (Schreier, 2012, p. 47). Discourse analysis provides a “critical interpretive attitude” (Schreier, 2012, p.48), which I use to understand how messages are conveyed within political rhetoric. Additionally, narrative analysis is an appropriate method to analyze Congressional hearings and debates because they follow “a narrative structure by posing a problem, explicating the complication, and arguing for a solution” (Lynch, 2015, p. 280). I focus on the narratives engaged by legislators and key stakeholders when arguing their points in the Congressional hearings.

In the current study, I analyze policymakers' discourse rather than that used in media reports, which has been the focus in other research studies on white drug scares (Netherland and Hansen, 2016). Both forms of discourse contribute to the social construction of an issue (Cohen, 1972). However, because news production works to short timelines, writers are less able to consider the ways in which their language contributes to inaccurate accounts of people of color (Campbell, 1995). In contrast, the language of Congressional hearings is more thoughtfully articulated and strategically planned before being presented. Stewart (2012, p. 600) argues that "policymakers define their position and seek to influence other politicians and the larger public," and their arguments shape perceptions of acceptable behavior in society. However, this level of planning means that politicians may intentionally choose their words to conceal the motivation underlying arguments. Examining Congressional hearings allows an analysis of the ways in which speakers, as moral entrepreneurs, construct the MDMA moral panic and frame the behavior of MDMA users and dealers.

Coding Frame

After screening the hearings, I created a coding frame deductively based on my theoretical framework, and inductively through an open coding process. My goal in creating the coding frame was to focus on the construction of MDMA users and dealers, the construction of MDMA as a social problem, and the suggested policy responses. Additionally, I focused on whether the hearings discussed raves and clubs as dangerous spaces and blamed club owners or event promoters for allowing drug use in these spaces. For example, one code within the rave category captured whether the rave was described as regulated or unregulated, and therefore perceived as legitimate or illegitimate, and whether it was defined as a frequently attended space. Coding for rave attendance captured whether the events were constructed as popular or not. For

the event promoters, I coded whether legislators associated them with positive or negative language.

Following the creation of the deductive codes, I assessed one hearing, “Threat posed by illegal importation, trafficking, and use of ecstasy and other club drugs,” to check for inductive codes that may not have been apparent in the existing literature. From this process, I created codes to identify how MDMA was compared to other drugs, how its effects were characterized, and whether speakers connected MDMA use to other criminal activities. Lastly, I developed a code for the types of suggested policy responses to the problem of MDMA use, dealing, and trafficking. These included increased punishment, additional law enforcement, treatment expansion, and educational interventions. The purpose here was to assess whether policymakers proposed milder punitive policies for young, affluent, white drug users, as described by Provine (2007) and Peterson (1985). I captured the strategic use of policymakers’ language through my coding strategy. After compiling the common codes, I determined whether and how speakers placed users and/or dealers into in-groups and out-groups by examining the codes within the context of the hearings.

In the next two sections, I consider the following questions: (1) How are MDMA users and dealers framed by speakers within the Congressional hearings? and (2) how does the language surrounding MDMA users and dealers differ from that used in past moral panics surrounding drug users of color?

FINDINGS

Framing MDMA Users and Dealers

In their rhetorical descriptions of MDMA users, Congressional speakers position MDMA users as members of their own in-group, while positioning other drug users as members of

blameworthy out-groups. To do this, they established the in-group by describing MDMA users as their own children or as individuals with similar values. Speakers argued that MDMA users were different from other drug users, chose the drug for empathetic reasons, and posed little threat to society. Thus, they proposed education and treatment as policies to manage the “epidemic”. In contrast, Congressional speakers described out-groups as comprising MDMA manufacturers, traffickers, and dealers. Speakers described the strategies that the out-groups utilized to convince “innocent” young people to use MDMA and proposed punitive policies to control this threatening behavior.

Establishing in-groups

Throughout the Congressional hearings, speakers argued that MDMA had spread to different geographic locations. More specifically, MDMA had moved from exclusive, illicit spaces like raves into familiar spaces such as schools, house parties, and night clubs. When describing these geographical changes, legislators frequently brought up MDMA overdoses within “nice” suburban neighborhoods. For example, Steven Rust, a Delaware police department sergeant, explained how MDMA labs were now found in suburban neighborhoods:

What we found peculiar was that gone were the run-down neighborhoods infested by crack cocaine. We found ourselves in a nice, scenic neighborhood overlooking a river of Salisbury. Evidence of a lab was recovered from the basement of the residence, and the suspect was charged with possession of Ecstasy and related charges. (America at Risk: The Ecstasy Threat, 2001, p. 93)

In talking about the spread of MDMA into suburban neighborhoods, speakers highlighted how MDMA was becoming popular and dangerous among affluent young adults – young adults

who could be their own children. Judy Kreamer, President of Educating Voices, Inc., captured this sentiment:

Society, and most importantly our children, are being duped into believing that illegal drugs are safe. They do not understand the dangers associated with their use. This can only be countered through education, networking, leadership, and a national determination. (RAVE Act, 2002, p. 16)

Speakers argued that users of MDMA ranged from high school students to productive young adults, again using the “our children” framing. Dr. Donald Vereen established the connection between the speakers and MDMA users in his statement:

I serve as the Deputy Director of the Office of National Drug Control Policy. Professionally, I wear two hats – that of the Deputy Director of a Congressionally mandated office, and that of a physician with psychiatric training. In addition to my two professional hats, I am also a father. The dangers of MDMA are a threat to my own children, and that is probably the most important credential that I have. (America at Risk: The Ecstasy Threat, 2001, p. 9)

By highlighting the shift of MDMA use into suburban neighborhoods and that the “MDMA epidemic” threatened their own children, legislators and Congressional speakers asserted that MDMA users were a part of the speakers’ in-group.

In-group MDMA users are different

To strengthen the assertion that white, middle-class MDMA users were members of the in-group, hearing speakers made favorable comparisons between MDMA users and users of other drugs.

To do this, they often contrasted MDMA to other drugs and argued that there were crucial differences between the substances. For example, Senator Feinstein from California argued that MDMA was less problematic than methamphetamine:

I am concerned, however, that by equating penalties for ecstasy trafficking with those for methamphetamine trafficking, the bill may not adequately acknowledge the difference between the two drugs. For instance, ecstasy is not addictive. And the use of ecstasy has not resulted in the same level of harm that methamphetamine use has inflicted upon the people of my own state and the nation. (Ecstasy: Underestimating the Threat, 2000, p. 11)

Legislators repeatedly argued that MDMA users are not “typical” drug users because they are educated, employed, and uninvolved in crime. Steven Rust, the police sergeant cited above, argued that MDMA users and rave attendees were “Kids who should be participating in little league, soccer, basketball, football, and youth groups are now looking for excitement at raves” (America at Risk: The Ecstasy Threat, 2001, p. 91-92).

Reasons why in-group members use MDMA

Legislators and other speakers put forth several reasons to explain the use of MDMA by young people. John Varrone, acting Deputy Assistant Commissioner in the U.S. Customs Service, argued that young people were vulnerable to the drug’s appealing physical appearance, describing how ecstasy pills were brightly colored with stamps of attractive logos (Threat of Illegal Importation, 2000, p. 27). Andrea Craparotta, an investigator at a New Jersey prosecutor’s office, explained this phenomenon:

Ecstasy has emerged as a favorite among today's youth. Unlike the well-known dark images of heroin and cocaine addiction that the public has become familiar with, many think that Ecstasy is a harmless pill that has no adverse effects on society. Young adults who would not consider sticking a needle in their arm or smoking from a crack pipe are now popping Ecstasy at an alarming rate. (Threat of Illegal Importation, 2000, p. 55)

Steven Martin, a researcher at the University of Delaware, argued that young people used MDMA as an alternative to "binge drinking" (Ecstasy: Underestimating the Threat, 2000, p. 62). Past research has demonstrated that heavy drinking is common among college students and other young people. Additionally, this literature frames binge drinking as problematic, despite the legal status of alcohol. By comparing MDMA to such drinking, Martin linked MDMA use to a problematic (if largely accepted) behavior, an established social problem common among young, educated adults.

Various Congressional speakers argued that young people chose to use MDMA because they were misinformed and saw no risks with using the drug. A common point made by speakers was that young people used MDMA because they could not see any immediate negative damage. Additionally, Congressional speakers argued that young people received information on MDMA from peers or dealers who sold them the drug, and proceeded to use it because they believed it to be safe. Andrea Craparotta also argued that users did not consider the consequences associated with use of the drug:

It is easy to buy as candy. It is everywhere. It looks like something you would want to ingest. There is nothing ominous about an Ecstasy pill. And

because it causes them to dance and hug, it has this whole love-drug type effect, I just believe that they are not thinking in terms of what damage it is causing to their brains at the time. They are thinking of this in terms of how much fun they are having when they are on it (RAVE Act, 2002, p. 55).

While legislators asserted ignorance as a reason for taking MDMA, they added that young users were also vulnerable to peer pressure. In his speech, Senator Biden, from Delaware, argued that if potential users saw their friends using the drug and maintaining productive lives, they would believe that MDMA is not harmful:

Part of the testimony to the danger of a drug is students or young people observing their peer group and watching what effect it has or doesn't have on them. We can say all we want about how dangerous a drug is, but if your roommate has been using the same drug and you have known it for over a period of a year and your roommate still has a 3.5 GPA and your roommate is still popular and your roommate is still playing rugby or intramural basketball or running three miles a day, then it is kind of hard to suggest to people that it has this debilitating impact. (Ecstasy: Underestimating the Threat, 2000, p. 76)

Asa Hutchinson, the administrator of the DEA, argued that young people are impulsive and experimental, thereby creating empathy for MDMA users (RAVE Act, 2002, p. 5). Several speakers argued that raves and clubs were appealing to a younger and affluent crowd because they provided a space for young people to build a sense of community. With these claims, speakers displayed empathy with motivations for MDMA use.

Threat of drug use among in-groups

MDMA-related overdoses occurring in suburban neighborhoods and the health risks of MDMA use were common points of discussion among Congressional speakers. They argued that MDMA would lead its users to make poor sexual choices, affect their ability to take educational classes and seize opportunities, and ultimately make them less productive. More importantly, speakers argued that the drug's effects would lead to the loss of the next generation of leaders. Steven Rust, for example, argued that, "If action is not taken soon, I thoroughly believe we risk the loss of the next generation of leaders in our communities as well as our Nation" (America at Risk: The Ecstasy Threat, 2001, p. 94). Speakers also raised concerns about potential MDMA addiction, which was characterized as a disease that led young people to become more involved in criminal activities.

In addition to raising concerns about health risks, speakers argued that users were exposed to other threats at rave events where MDMA use was taking place. Eladio Paez, a detective with the Miami Police Department, described the dangers of the rave scene in his statement:

These events are also a haven for sexual predators. They engage in hugging, kissing, caressing each other, massaging themselves... That person that was previously involved in hugging and kissing will no longer be able to make a decision whether they want to have sex or not. That is why it is a haven for sexual predators. (Threat Posed by Illegal Importation, 2000, p. 57)

Policy for protecting in-groups

Congressional speakers recommended policy directed at protecting MDMA users. They discussed the disproportionate effect of mandatory minimum sentences on drug users of color in an effort to avoid these policies for MDMA. Sheila Jackson Lee, a Texan representative in Congress, explained in her statement:

[T]hough I support increased penalties for drugs like Ecstasy, I do not support the use of mandatory minimums because the use of mandatory minimum sentencing requirements often has a disproportionate effect upon people of color. (Threat Posed by Illegal Importation, 2000, p. 2)

As an alternative to mandatory minimum sentences, education and treatment were highlighted for MDMA users. Senator Jeff Sessions, from Alabama, who continues to be among the most avid supporters of drug-related mandatory minimum sentences, proposed a treatment-focused juvenile court (America at Risk: The Ecstasy Threat, 2001, p. 27). Speakers highlighted the importance of informing young people about the consequences of using the drug. In addition, speakers argued that parents, the medical community, and law enforcement also needed to be better educated about these risks. Philip Jenkins, a history and religious studies professor at Pennsylvania State University, proposed the use of harm reduction:

If we want more deaths stemming from the use of club drugs, then the way to do that is straightforward. We should increase penalties, initiate more active policing, and drive the club scene further underground. I would recommend that we should look more at the concept of harm reduction as opposed to trying to squeeze ever more people into our already overcrowded prison systems. (Threat Posed by Illegal Importation, 2000, p. 66)

However, the harm reduction proposal was ignored and one speaker questioned whether Dr. Jenkins was encouraging drug use among young people (Threat Posed by Illegal Importation, 2000, p. 74).

Who are the folk devils? The creation of out-groups

Congressional speakers argued that dangerous out-groups were responsible for youth experimentation with MDMA. Speakers framed manufacturers, traffickers, dealers, and rave promoters as the folk devils responsible for the MDMA “epidemic” among young people. Speakers linked the manufacturers and traffickers of MDMA to powerful organized crime groups. They argued that the organized crime groups selling MDMA were largely foreigners. For example, Asa Hutchinson, the DEA administrator cited above, argued that Israeli, Russian, and European organized crime groups, as well as Mexican and Columbian cartel traffickers, were responsible for increased MDMA use (RAVE Act, 2002, p. 9). Raymond Kelly, the Commissioner of the United States Customs Service, also highlighted foreign involvement in MDMA distribution as well as the health risks of use “for our young people”:

Israeli crime groups dominate the distribution of the drug, but other violent trafficking organizations are getting involved. The fact is Ecstasy is attracting the worst the criminal world has to offer. That is a major one of our concerns, but certainly equally disturbing are the health risks it poses for our young people. (Ecstasy: Underestimating the Threat, 2000, p. 32)

Speakers argued that rave promoters provided a dangerous space for young people to use MDMA and listen to music. They highlighted how rave promoters profited from a culture of MDMA by providing a central meeting space to use the drug and using marketing strategies to

lure young people to their events. Eladio Paez, the Miami police detective cited above, argued that rave promoters provide a false sense of security:

Promoters and club owners...go as far as hiring police officers as security at these events, creating a false sense of security for those unsuspecting parents that drive and drop off their teenagers at the non-alcoholic events.

This is an alarming problem that we are facing and we cannot allow the fact that uninformed law enforcement is aiding these events and are standing guard outside these events while kids go inside and do drugs.

(Threat Posed by Illegal Importation, 2000, p. 57)

Other speakers claimed that promoters made free water unavailable and charged attendees exorbitant prices for bottled water, making it more difficult to stay hydrated for those who had taken the drug. In this sense, the promoters were constructed as motivated solely by profit and unconcerned about the potential dangers faced by young MDMA users.

Strategies pursued by out-groups

Congressional speakers highlighted different strategies used by those in out-groups to promote MDMA use. They argued that traffickers recruited innocent-looking couriers and dealers so as to entrap vulnerable in-group members into using. As Steven Martin explained:

The people selling the drug were two kids with backpacks who came walking up to sell to the undercover officer. This is a very, very different kind of retail sales operation than we sometimes see with other drugs. The fact that it is going on that way, and so openly, suggests that we need to get some messages across to a variety of audiences. (Ecstasy:

Underestimating the Threat, 2000, p. 78)

Other non-stereotyped groups who were selling the drug included Orthodox Jews, attorneys, white teenagers, and senior citizens. The speakers also explained that traffickers were telling potential users that MDMA was safer than other illegal drugs. For example, Senator Grassley, from Iowa, argued that dealers conveyed the idea that MDMA could be used responsibly (Ecstasy: Underestimating the Threat, 2000, p. 2). Congressional speakers also argued that manufacturers created attractive-looking MDMA pills but commonly used adulterants in order to increase profits.

Punishing out-groups

As well as allocating responsibility for the MDMA “epidemic” to out-groups and describing their marketing strategies, speakers often described the penalties that should be imposed on culpable out-groups. These included stiffer penalties to be imposed on traffickers of the drug and the targeting of drug dealers for arrest. Some speakers argued that rave venue owners should also be punished because they are aware that drug use is taking place on their premises. Legislators highlighted the importance of targeting large drug organizations and traffickers that profited from young users. Senator Bob Graham, from Florida, stated:

Just yesterday, the [U.S. Sentencing] Commission recommended new, stricter sentencing guidelines for manufacturing, importing, or trafficking in Ecstasy. As an example, the current sentence for possession of 8,000 Ecstasy pills is 40 months. Under the new standards, it will be 120 months. That is illustrative of the strengthened sentencing standards which will go into effect for those who would traffic in to our young people this dangerous drug. (America at Risk: The Ecstasy Threat, 2001, p. 6)

New Language and New Panics?

As these findings show, speakers across all four hearings categorized MDMA users as in-group members. They argued that MDMA users were different from other drug users because they lived in the same communities as the speakers. Additionally, some hearing speakers described MDMA users as, at least figuratively, their “own children” whose promise and potential as college students and future leaders was threatened by the use of MDMA. Through these descriptions, hearing speakers commonly suggested that MDMA users held the same norms and belonged within the same in-groups as the speakers. This argument invites the hearing audience to identify with MDMA users. Just as Provine (2007, p. 118) found in her analysis of moral entrepreneurs’ rhetoric about white, middle-class marijuana users that demanded protection for “our children, our cities, our values,” MDMA users are placed within in-groups and described as “our children”, which functions to heighten a sense of group solidarity. Punitive proposals target a common enemy – members of out-groups. These out-groups include traffickers, manufacturers, and dealers, who are constructed as avaricious, uncaring, manipulative, and often foreign.

The speakers not only distinguished MDMA users from dealers, they also set these users apart from the users of other drugs: methamphetamine, crack-cocaine, and heroin. They invoked evidence of other drug users’ dangerous behavior to argue that MDMA users were less problematic. Provine (2007) illustrated that, in the context of crack-cocaine legislation, lawmakers stressed individual responsibility for the moral choice of drug taking and selling, while downplaying structural factors associated with involvement in drug trade. In other words, crack-cocaine users had a choice and exercised it badly. In this case, MDMA users were constructed as sharing norms and values similar to the speakers themselves, which led to more empathic approaches and an emphasis on external forces as crucial to involvement in drug use.

By placing MDMA users into an in-group, legislators and other hearing speakers were able to propose much more progressive policies to assist MDMA users, especially when compared to those proposed in response to crack-cocaine use (Reinarman & Levine, 1994; Provine, 2007). The proposed policies in these hearings focused on education and treatment, and discouraged the use of mandatory minimum sentences. In the selected hearings, no proposals to criminally punish MDMA drug users were advocated. Rather than describing MDMA users as dangerous or as deserving of harsh punishment, the Congressional speakers framed MDMA users as similarly to users in other white drug scares, who were portrayed sympathetically by media in terms of their wasted potential (Netherland and Hansen, 2016). MDMA users were described as productive young adults who became victims of the drug. Speakers, including past users of the drug, provided humanizing backstories about MDMA addiction, which is consistent with Netherland and Hansen's (2016) findings. As has been the case with media coverage of the recent "opioid epidemic" (Netherland and Hansen, 2016), incarceration was never presented as a way to manage MDMA use or possession of the drug (see also Provine, 2007 on the 1970s' marijuana policy reform).

In contrast, MDMA dealers, manufacturers, traffickers, and other entities were framed as out-groups throughout the Congressional hearings. Speakers blamed the out-groups for encouraging MDMA use and portrayed them as threats to society. In some instances, these out-groups were racialized: Mexican and Columbian drug cartel traffickers and Israeli crime groups. This finding is consistent with Netherland and Hansen's analysis (2016), which found that "dirty doctors," operating in suburban communities and described as immigrants and people of color, were blamed for the opioid epidemic (Netherland and Hansen, 2016).

CONCLUSION

Scholars have described the ways in which moral panics surrounding drug use are structured around race and class inequalities (Reinarman & Levine, 1997; Provine, 2007). The current analysis demonstrates that the moral panic criteria may not fully apply to drug panics arising from white, middle-class drug use. Goode and Ben-Yehuda (1994) identify a heightened level of hostility toward the folk devil group as one key criterion of a moral panic. Even though MDMA use in the late 1990s and early 2000s was discussed by moral entrepreneurs as an “epidemic,” there was little hostility toward the white, middle-class who were associated with the use of the drug. Instead, Congressional speakers directed hostility and blame toward MDMA dealers and traffickers.

This finding may not be surprising to social constructionist scholars who have already identified a more positive discourse associated with white, middle-class drug use (Provine, 2007; Peterson, 1985; Netherland and Hansen, 2016). Therefore, the current study reiterates the findings of social construction theorists: the way in which drug use is constructed as an issue of concern is established within larger structures of race and class. It also suggests the utility of a social identity analytical framework for distinguishing how illicit acts by different groups come to be categorized. In the case of illicit drug involvement, social identity theory offers a micro-level and dynamic framework for teasing out the conditions under which users and distributors are categorized as either deserving of punishment or of care-oriented intervention.

To conclude, social construction scholars should continue to examine drug scares arising from concern over white drug use in order to expand scholarship on the variable effects of race and class on the construction of drug problems. The white drug panic framework has a long history and has repeatedly framed white, middle class youth as innocent victims who must be

protected from the scourge of drugs (Lassiter, 2015). Examples of this framework include LSD and marijuana in the 1960s, cocaine in the 1980s, and heroin in the 1990s, and, more recently, opioids (Ahrens, 2013; Netherland and Hansen, 2016). Future research should further identify the strategies and mechanisms used by individuals in power to construct middle-class, white drug users as in-group members, in order to justify protective rather than punitive policy.

My findings suggest that within moral panics, the hostile response criteria may not always apply to the group associated with problematic behavior. Instead, policymakers may be more practical and open to evidence-based policies to assist drug users when they identify with them as in-group members. The policy challenge, then, is how to expand the in-group to ensure that marginalized populations and users of color can also be the beneficiaries of pragmatic and health-oriented drug policy.

REFERENCES

- Ahrens, D. (2013). Drug panics in the twenty-first century: ecstasy, prescription drugs, and the reframing of the war on drugs. *Albany Government Law Review*, 6: 397-436.
- America at Risk: The Ecstasy Threat: Hearing before the Senate Caucus on International Narcotics Control United States Senate*. 107th Cong. 1 (2001).
- Beckett, K. (1997). *Making crime pay: Law and order in contemporary American politics*. NY: Oxford University Press.
- Bogt, T. T., Engels, R., Hibbel, B., Van Wel, F. & Verhagen, S. (2002). "Dancestasy": dance and MDMA use in Dutch youth culture. *Contemporary Drug Problems*, 29(1), 157-81.
- Bonilla-Silva, E. (1996). Rethinking racism: Toward a structural interpretation. *American Sociological Review* 62, 465-80.
- Campbell, C. P. (1995). *Race, Myth and the News*. CA: Sage Publications, Inc.
- Cobbina, Jennifer (2008). Race and class differences in print media portrayals of crack cocaine and methamphetamine. *Journal of Criminal Justice and Popular Culture*, 15(2), 145-167.
- Cohen, S. (1972). *Folk devils and moral panics: the creation of the mods and rockers*. NY: Routledge.
- Drug Abuse Warning Network (DAWN) (2003). Emergency department trends from the Drug Abuse Warning Network, final estimates 1995-2002 (SMA 03-3780). *Rockville, MD: Substance Abuse and Mental Health Services Administration, Office of Applied Studies*.
- Drug Abuse Warning Network (DAWN) (2013). National Estimates of Drug-Related Emergency Department Visits, 2011 (SMA 13-4760). *Rockville, MD: Substance Abuse and Mental Health Services Administration*.

- Ecstasy: Underestimating the Threat: Hearing before the Senate Caucus on International Narcotics Control*. 106th Cong. 1 (2000).
- Epstein, J. A. (2014). Molly and the crack house statute: vulnerabilities of a recuperating music industry. *University of Miami Business Law Review*, 23(1), 95-129.
- Goode, E. & Ben-Yehuda, N. (1994). Moral panics: culture, politics, and social construction. *Annual Review Sociology*, 20, 149-71.
- Lassiter, M. D. (2015). Impossible criminals: the suburban imperatives of America's war on drugs. *The Journal of American History*, 1(102), 126-140.
- Linnemann, T., & Wall, T. (2013). 'This is your face on meth': The punitive spectacle of 'white trash' in the rural war on drugs. *Theoretical Criminology*, 17(3), 315-334.
- Lynch, M. (2015). Penal artifacts: mining documents to advance punishment and society theory. In J. Miller and W. R. Palacios (Eds.), *Qualitative research in criminology* (pp. 271-290) New Brunswick, NJ: Transaction Publishers.
- Martins, S. S., Mazzotti, G., & Chilcoat, H. D. (2005). Trends in Ecstasy use in the United States from 1995 to 2001: Comparison with marijuana users and association with other drug use. *Experimental and Clinical Psychopharmacology*, 13(3), 244-252.
- Meyer, J. S. (2013). 3,4-methylenedioxymethamphetamine (MDMA): current perspectives. *Substance Abuse and Rehabilitation*, 4, 83-99.
- Murakawa, N. (2011). Toothless. *Du Bois Review: Social Science Research on Race*, 8(1), 219-228.
- Musto, D. (1973). *The American disease: origins of narcotic control*. CT: Yale University Press.
- National Household Survey on Drug Abuse. (2003). *The NHSDA report on ecstasy use*. Retrieved March 11, 2016 (<http://archive.samhsa.gov/data/2k3/ecstasy/ecstasy.htm>)

- National Institute on Drug Abuse. (2006). *MDMA (ecstasy) abuse*. Retrieved September 19, 2016 (<https://www.drugabuse.gov/publications/research-reports/mdma-ecstasy-abuse/who-abusing-mdma>)
- Netherland, J., & Hansen, H. B. (2016). The war on drugs that wasn't: wasted whiteness, "Dirty Doctors," and race in media coverage of prescription opioid misuse. *Culture, Medicine, and Psychiatry*, 40(4), 664-686.
- Nielsen, A. L. and Scott B. (2008). Media exposure and attitudes toward drug addiction spending, 1975-2004. *Deviant Behavior*, 29(8), 726-752.
- Omori, M. K. (2013). Moral panics and morality policy: the impact of media, political ideology, drug use, and manufacturing on methamphetamine legislation in the United States. *Journal of Drug Issues*, 43(4), 517-534.
- Pentney, A. R. (2001). An exploration of the history and controversies surrounding MDMA and MDA. *Journal of Psychoactive Drugs*, 33(3), 213-221.
- Peterson, R. 1985. Discriminatory decision making at the legislative level: an analysis of the comprehensive drug abuse prevention and control act of 1970. *Law and Human Behavior*, 9(3), 243-269.
- Provine, D. M. (2007). *Unequal under law: Race and the war on drugs*. Chicago, IL: University of Chicago Press.
- Reducing Americans' Vulnerability to Ecstasy (RAVE) Act of 2002: Hearing before the Subcommittee on Crime, Terrorism, and Homeland Security of the Committee on the Judiciary House of Representatives*. 107th Cong. 1 (2002).
- Reinarman, C. (1994). The social construction of drug scares. In P. Adler and P. Adler (Eds.) *Constructions of Deviance: Social Power, Context, and Interaction* (pp. 92-105). CA:

Brooks/Cole Publishing Company.

Reinarman, C. & Levine H. G. (1997). *Crack in America: demon drugs and social justice*. CA:

University of California Press.

Rosenbaum, M. & Doblin, R. (1999). Why MDMA should not have been made illegal. In J.A. Inciardi

(Ed.) *The Drug Legalization Debate*. CA: Sage Publications, Inc.

Rosenbaum, M. (2002). Ecstasy: America's new 'reefer madness.' *Journal of Psychoactive Drugs*, 34:2,

137-142.

Schreier, M. (2012). *Qualitative Content Analysis in Practice*. CA: SAGE Publications, Inc.

Stewart, J. (2012). Fiction over facts: how competing narrative forms explain policy in a new

immigration destination. *Sociological Forum*, 27:3, 591-616.

Tafjel, H. & Turner, J. (1979). An integrative theory of intergroup conflict. In W. G. Austin & S.

Worchel (Eds.) *The Social Psychology of Intergroup Relations* (pp. 33-97). CA: Brooks/Cole.

Threat Posed by the Illegal Importation, Trafficking, and Use of Ecstasy and Other "Club" Drugs:

Hearing before the Subcommittee on Crime of the Committee on the Judiciary House of

Representatives. 106th Cong. 1 (2000).